

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

GEORGE BOUNDS

PLAINTIFF

v.

CIVIL ACTION NO. 1:22-CV-37-SA-DAS

GEORGE LAW; EQUIPMENT LEASING  
AND MAINTENANCE, *et al.*

DEFENDANTS

ORDER REMANDING CASE

This case was initially removed to this Court from the Circuit Court of Monroe County on March 2, 2022, when the Defendant, George Law, filed his Notice of Removal [2]. In the Notice of Removal [1], Law contended that this Court had jurisdiction over the case on the basis of diversity jurisdiction pursuant to 28 U.S.C. § 1332.

On March 30, 2022, the Plaintiff, George Bounds, filed a Motion to Remand [5]. In that Motion [5], Bounds contended that the minimum amount-in-controversy necessary for federal diversity jurisdiction was not satisfied because the parties “agree[d] that the amount in controversy does not exceed Seventy-Five Thousand Dollars (\$75,000.00).” [5] at p. 1.

On April 20, 2022, this Court entered an Order [8] denying *without prejudice* Bounds’ Motion to Remand [5]. In so doing, the Court noted that it “in accordance with Fifth Circuit precedent, has routinely considered post-removal affidavits in determining the amount-in-controversy in a particular case if the amount-in-controversy is ambiguous at the time of removal.” [8] at p. 3. However, the Court further explained that the record was devoid of a stipulation by Bounds or any documentation whatsoever reflecting the parties’ agreement that the amount-in-controversy was not satisfied. Consequently, the Court provided Bounds “an opportunity to address the deficiency and provide a stipulation or affidavit or some other equivalent documentation to support his request.” [8] at p. 4.

Since that time, Bounds has filed an Affidavit [9]. In pertinent part, Bounds' Affidavit provides that he "treated for approximately six months following the accident and incurred approximately \$10,000 in bills. . . The amount in controversy in this matter does not exceed \$75,000[.]" [9] at p. 1.

In accordance with Bounds' sworn representation that the amount-in-controversy in this case is below the jurisdictional threshold of this Court, the Court finds that this cause should be remanded. *See, e.g., Byrd v. Food Giant Supermarkets, Inc.*, 2015 WL 1509487, at \*1 (N.D. Miss. Mar. 31, 2015); *Blue Canoe, Inc. v. Western World Ins. Co.*, 2021 WL 706758, at \*2 (N.D. Miss. Feb. 23, 2021) ("If the amount in controversy is ambiguous at the time of removal, however, the Court may consider a post-removal stipulation or affidavit, or other summary judgment-type evidence, to determine the amount in controversy.").

This case is hereby REMANDED to the Circuit Court of Monroe County, Mississippi. The Clerk of Court shall take all steps necessary to accomplish this remand. This CASE is CLOSED.

SO ORDERED, this the 24th day of May, 2022.

/s/ Sharion Aycock  
UNITED STATES DISTRICT JUDGE